# Calendar No. 1248

82D CONGRESS, 2d Session } SENATE { REPORT No. 1333

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MAR 24 1952

## ELISABETH MUELLER

MARCH 17 (legislative day, FEBRUARY 25), 1952.—Ordered to be printed

Mr. MCCARRAN, from the Committee on the Judiciary, submitted the following

## REPORT

[To accompany S. 2672]

The Committee on the Judiciary, to which was referred the bill (S. 2672) for the relief of Elisabeth Mueller, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

### AMENDMENTS

1. On line 5, immediately following the word "Mueller", insert the following: "(also known as Elizabeth Philbrick),".
2. Amend the title to read: "A bill for the relief of Elisabeth Mueller (also known as Elizabeth Philbrick)."

### PURPOSE OF THE BILL

The purpose of the bill, as amended, is to provide for the admission into the United States of a minor child adopted by citizens of the United States. The child would be considered to be a nonquota immigrant which is the status normally enjoyed by the alien minor children of United States citizens.

### STATEMENT OF FACTS

The beneficiary of the bill was born in Germany on March 17, 1951, and has been adopted by Chief Warrant Officer and Mrs. Alton H. Philbrick, who are United States citizens. The Philbricks have been in Germany about 3 years and are expecting to return to the United States in April of 1952.

Senator Owen Brewster, the author of the bill, has submitted the following information in connection with the case:

SEVEN THOUSAND EIGHT HUNDRED AND THIRTIETH
SIGNAL SERVICE COMPANY,
*APO 66, Care of Postmaster, New York, N. Y., November 30, 1951.*

Hon. OWEN BREWSTER,
*United States Senate,*
*Washington, 25, D. C.*

DEAR SENATOR BREWSTER: Mrs. Philbrick and I have lived in Maine all of our lives, having been born there. I have been in the Army for 12 years and here in Germany nearly 3 years.

We have adopted a German child named Elesabeth Mueller, who was born March 17, 1951. Because she was born after June 30, 1950, she does not come under the Displaced Persons Act, but must have an immigration number and cannot come into the United States on a visitor's visa.

We are scheduled to return to the United States in April 1952 and will not be able to bring our child with us because her immigration number will not come up before that date and immigration authorities in Munich say that they have no idea when it will come up. They suggest congressional action, because several couples with a like problem have been able to bring their children to the United States with senatorial help. I requested an extension to my overseas tour of duty which was turned down.

Please try to help us by having some legal action taken to allow us to bring our baby home to America with us.

Very truly yours,

ALTON H. PHILBRICK,
*Chief Warrant Officer, United States Army.*

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SEVEN THOUSAND EIGHT HUNDRED AND THIRTIETH
SIGNAL SERVICE COMPANY,
*APO 66, Care Postmaster, New York, N. Y.*

Hon. OWEN BREWSTER,
*United States Senate, Washington, D. C.*

DEAR SENATOR BREWSTER: I received your letter of December 10 on December 18. I cannot tell you how pleased we were to receive such a prompt and promising reply.

I am enclosing a complete file of adoption papers. There undoubtedly are several papers that are unnecessary, but I felt it told the story most completely. I feel sure with these you will have all the necessary information for this case.

The child's name you will note from the new birth certificate is now Elizabeth Philbrick. Her visa will have to be issued in this name so any action taken will have to be in same name.

I am sorry for this slight delay in answering, but was held up waiting for translations of final German decree.

If there is any further information necessary please advise me immediately.

Hoping you've had a very happy Christmas and New Years. We thank you so very much for all the joy you've brought us for our Christmas.

Very truly yours,

ALTON H. PHILBRICK W903676,
*Chief Warrant Officer, United States Army.*

Certified translations of the adoption papers are contained in the files of the Senate Committee on the Judiciary.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2672), as amended, should be enacted.

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